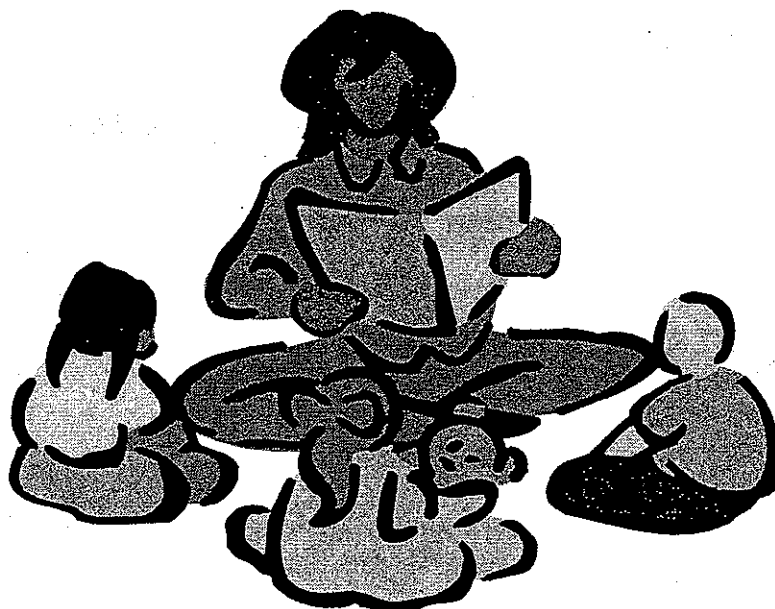


# Kentucky Family Child Care Home Certification



## Office of the Inspector General Division of Regulated Child Care

275 East Main Street 5 E-F  
Frankfort, Kentucky 40621

Phone: (502) 564-7962

Fax: (502) 564-9350

Website

<http://chfs.ky.gov/os/oig/drcc.htm>

# Kentucky Certified Family Child Care Homes

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## **SECTION I - APPLICATION**

# Requirements for Applying for CERTIFICATION

This information packet provides you with the instructions and forms needed to apply to become a certified family child care home. A copy of Kentucky's regulations for Family Child Care Certification (922 KAR 2:100) is included at the back of the packet. Please read this packet thoroughly. If you have questions, after reading the packet, please call the Division of Regulated Child Care at 1-502-564-7962.

**The following are required before an application is complete:**

- ◆ **Application Form (OIG-RCC-4)**
- ◆ **Self-Checklist (OIG-RCC-6)** The checklist contains the items required by Regulation 922 KAR 2:100 in order to become certified. Keep one of the completed checklists for your files.)
- ◆ **Physician's Statement** (provider applicant only) A sample statement is included in this packet.
- ◆ **Results of a Tuberculin Skin Test** (provider applicant and all adults living in the home)
- ◆ **Ten dollar (\$10) non-refundable application fee** (check or money order only **No Cash**) made payable to the Kentucky State Treasurer.
- ◆ **Criminal Record Checks** for the applicant and all adults in the home. A criminal record check is also required for assistants and substitutes. The forms to order criminal record checks are provided in this packet. Instructions for ordering the record checks, fees, and mailing directions are included on the criminal record check forms.
- ◆ **Two (2) written character reference letters** from unrelated individuals (letters should be signed and include name, address and phone number of the reference).
- ◆ **Central Registry check for incidents of child neglect, abuse or exploitation** - The Division of Regulated Child Care, pursuant to 922 KAR 2:100, will complete this check for the applicant and all other adults listed on the application (please complete the Central Registry form on all adults in the home).  
Any assistant or substitute, who is not listed as residing in the home, must request a Central Registry Check by completing the Central Registry form provided in this packet.  
**(\$10.00 fee per check)**

When all application information has been received, you will be notified by mail that your application is complete. You will then be contacted by Division of Regulated Child Care staff to schedule a technical assistance visit and inspection of your home. It is illegal to provide care for more than three (3) unrelated children until you are certified.

## **HELPFUL INFORMATION:**

Individuals planning to apply for Family Child Care Home Certification are required to check with their **local planning and zoning agency** to determine if their community has specific zoning requirements for an in-home child care business.

Family Child Care Certification Regulations require providers maintain **commercial liability insurance** of at least \$50,000 per occurrence. Basic Homeowner's insurance does not meet this requirement. A provider may check with their current insurance carrier to determine if the carrier offers commercial liability insurance on an in-home child care business. Several insurance carriers offer coverage to family child care homes. If you have questions about obtaining this insurance, contact the Division of Regulated Child Care or your local Child Care Resource and Referral Agency (list provided in this packet).

**OFFICE OF THE INSPECTOR GENERAL  
DIVISION OF REGULATED CHILD CARE**

**APPLICATION FOR CERTIFIED FAMILY CHILD CARE HOME**

<b>CHECK ONE ONLY</b>	
<input type="checkbox"/>	Initial Application
<input type="checkbox"/>	Renewal Request
<input type="checkbox"/>	Change/Update
Changes ONLY enter:	
Name on current certificate:	
Agency Use Only:	
\$10 Check:	
\$10 Money Order:	

**1. PROVIDER IDENTIFICATION**

Name: \_\_\_\_\_  
 First Middle Maiden Last  
 Date of Birth \_\_\_\_\_ Marital Status (circle one) single married divorced  
 Social Security # \_\_\_\_\_ -- -- FEIN # \_\_\_\_\_  
 (If applicable)

Address: \_\_\_\_\_  
 Street (required for listing on certificate) P O Box (if applicable)

County City Zip Code  
 (\_\_\_\_\_) (\_\_\_\_\_) \_\_\_\_\_  
 Work Number (if applicable) Home Number Name under which telephone is listed  
 E-mail Address \_\_\_\_\_

**2. DIRECTIONS TO YOUR HOME FROM THE NEAREST MAJOR HIGHWAY**

**3. HAVE YOU PREVIOUSLY OPERATED A FACILITY THAT WAS LICENSED OR CERTIFIED BY THE CABINET?**  
 YES ☐ NO ☐ If yes, specify the name and address of the facility, and the name of the owner or operator.

**4. FOOD SPONSOR:** Name of Child Care Food Program Sponsor: \_\_\_\_\_

**5. LOCATION: BUILDING TYPE:** ☐ House ☐ Apartment, Duplex, or Condo ☐ Modular or Mobile Home

**DO YOU** ☐ Own or ☐ Rent? If renting, you need your landlord's permission to operate a child care home.

**6. HOURS OF OPERATION** Do you keep children overnight? ☐ No ☐ Yes Hours you are open: From \_\_\_\_\_ to \_\_\_\_\_

Check days you operate child care home: ☐Sun ☐Mon ☐Tues ☐Wed ☐Thurs ☐Fri ☐Sat

**7. CHILDREN:** List your own children, grandchildren, nieces, nephews, and children in legal custody, step-children, and siblings under age thirteen (13) in your home during the operating hours of your child care home.

Child's Name	Date of Birth	Social Security #	Relationship	Dates & Hours Attending

8. **ADULTS:** List the names of adults eighteen (18) years of age or older living in your home.  
(Use an additional sheet of paper to list more adults in the home)

First Name	Middle Name	Last Name	Relationship	Date of Birth	Social Security #

9. **Substitute/Assistant:** List the names of the adult substitutes or assistants that may be providing care for the children in your absence at the home. (Use an additional sheet of paper to list more adults in the home)

First Name	Middle Name	Last Name	Relationship	Date of Birth	Social Security #

10. Do you have animals in your home? Yes ☐ No ☐  
If yes, please list the types of animals? \_\_\_\_\_

#### 11. STATEMENT OF PROVIDER

I certify that this is a true and accurate description of my child care operation on this date and that I have not knowingly misrepresented or offered false information on the application or other required forms. I hereby give the Office of the Inspector General the right to contact social agencies and references listed to verify my statements. I understand the Office of the Inspector General staff shall have the authority to inspect my home and the records required by 922 KAR 2:100 and that those inspections shall be unannounced.

I understand the Office of the Inspector General, Division of Regulated Child Care shall complete a check of the Central Registry pursuant to 922 KAR 1:470 to determine if any adult in my household has had a substantiation of child abuse, neglect, or exploitation by the Cabinet. I understand that my application for certification shall be denied if any adult in my household has been found by the Cabinet or court to have abused or neglected a child. The Division shall also review the criminal record checks of all adults in my household. I understand that my application for certification shall be denied if any adult in my household has been convicted of a violent crime or sex crime as defined in KRS 17.165. I understand that my application for certification shall be denied if there is a history of behavior that may impact the safety or security of a child in care including but not limited to a conviction of a drug related felony (922 KAR 2:100).

I understand that I am required to immediately notify the Office of the Inspector General of any action or change that significantly impacts the operation of my family child care home. Examples of such changes include a move to a new location, marriage and a name change, telephone number changes, new adults in the home, ceasing operation, or becoming a licensed provider. I understand that this application applies only to the location listed on this form and that if I move; I must immediately apply for a certificate at my new location.

Initial Application	Renewal Request	How to Report Changes
<input type="checkbox"/> Application (OIG-RCC-4) <input type="checkbox"/> \$10 non-refundable certification fee (check or money order payable to Kentucky State Treasurer), <input type="checkbox"/> Self-Check list (OIG-RCC-6), <input type="checkbox"/> Physician's statement, <input type="checkbox"/> Results of tuberculosis test on all adults in the home (administered within 12 months of the date of application), <input type="checkbox"/> Criminal records check on all adults in the home (including substitutes or assistants), <input type="checkbox"/> Central registry check on all adults in the home (including substitutes or assistants) (OIG-RCC-5), <input type="checkbox"/> \$10 non-refundable Central Registry Check fee (payable to Kentucky State Treasurer), for each check for adults in the home (including substitutes or assistants), and <input type="checkbox"/> Written local zoning approval <input type="checkbox"/> Two written character references	(applying to renew existing certificate for additional 2 years) <input type="checkbox"/> Application (OIG-RCC-4) <input type="checkbox"/> \$10 non-refundable certification fee (check or money order payable to Kentucky State Treasurer), <input type="checkbox"/> Physician's statement, <input type="checkbox"/> Results of tuberculosis test on all adults in the home (administered within 12 months of the date of application), <input type="checkbox"/> Criminal records check on all adults in the home (including substitutes or assistants), <input type="checkbox"/> Central registry check on all adults in the home (including substitutes or assistants) (OIG-RCC-5), <input type="checkbox"/> \$10 non-refundable Central Registry Check fee (payable to Kentucky State Treasurer), for each check for adults in the home (including substitutes or assistants), and <input type="checkbox"/> Written local zoning approval	<b>Name Change</b> <input type="checkbox"/> Application (complete Sections 1 & 9)  <b>Location/Address Change</b> <input type="checkbox"/> Application (complete Sections 1, 2 & 9) <input type="checkbox"/> Written local zoning approval  <b>Add an Adult to the Home/ add substitute or assistant</b> <input type="checkbox"/> Application (complete Sections 1, 8 & 9) <input type="checkbox"/> Results of tuberculosis test <input type="checkbox"/> Criminal records check <input type="checkbox"/> Central registry check (OIG-RCC-5)  Changes, other than those listed above, must be reported by telephone or letter.

I have read and understand the family child care certification requirements as specified in 922 KAR 2:100.

\_\_\_\_\_  
Provider's Signature

\_\_\_\_\_  
Date

A certified check or money order made payable to the "Kentucky State Treasurer" in the amount of ten dollars (\$10.00 non-refundable) must accompany your completed application.

The application will **NOT** be processed without payment.

Mail the certified check or money order to:

**Office of the Inspector General  
Division of Regulated Child Care  
275 E. Main Street, 5 E-F  
Frankfort, KY 40621-0001**

COMMONWEALTH OF KENTUCKY  
CABINET FOR HEALTH AND FAMILY SERVICES

OFFICE OF THE INSPECTOR GENERAL  
DIVISION OF REGULATED CHILD CARE

SELF-CHECK LIST

Name \_\_\_\_\_ Social Security # \_\_\_\_\_

Location Address \_\_\_\_\_ County \_\_\_\_\_

CERTIFICATION REQUIREMENTS  
FOR FAMILY CHILD CARE HOME

The Division of Regulated Child Care has regulatory responsibility under 922 KAR 2:100 for the certification of Family Child Care Homes which provide child care for six or fewer unrelated children. Certification means that the child care home has met the State's requirements pursuant to 922 KAR 2:100. This checklist outlines the requirements that family child care providers shall meet to be certified.

Instructions for completing Checklist:

Please mark each requirement. If you are meeting the requirement, put a check (✓) in the first blank beside the statement. If you are not meeting the requirement, put a (X) in the blank. If the requirement does not apply to your child care home, put N/A (for not applicable) in the blank.

STANDARDS FOR CERTIFICATION PURSUANT TO 922 KAR 2:100

	Check here
<b>A. An applicant for certification shall:</b>	
1. An applicant for certification shall be at least eighteen (18) years of age.	
2. The applicant shall submit a written statement from a physician that the applicant's health is satisfactory for the operation of a family child care home.	
3. The applicant shall submit to a criminal records check conducted within the past year by the Justice Cabinet or Administrative Office of the Court required by KRS 17.165. The same Criminal records check is required on all adults living in the applicant's home, including an assistant.	
4. The applicant shall submit a child abuse or neglect check in accordance with 922 KAR 1:470. This is also required for all adults living in the home, including an assistant.	
5. The applicant shall submit a copy of the results of a negative tuberculosis skin test or written verification from a health professional that the individual is free of tuberculosis for the applicant. This is also required for all adults living in the home, including an assistant. The test results or written verification must have been within twelve (12) months of the date of application for certification.	
6. The provider must submit written documentation from the local authority showing the child-care home is in compliance with local zoning requirements.	
7. The applicant shall obtain commercial liability insurance of at least \$50,000 per occurrence.	
<b>B. Training Requirements for Applicant/provider:</b>	
1. The applicant shall demonstrate completion of a total of at least nine (9) hours of training which includes the following within three (3) months of approval of application: (a) Basic health, safety, and sanitation, (b) Recognizing and reporting child abuse, (c) Developmentally appropriate child-care practice, pursuant to KRS 199.8982.	
2. Beginning with the second year of operation, the provider shall participate annually in at least nine (9) hours of cabinet approved child development training.	
3. The certified family child care home provider shall be currently certified in Infant and Child CPR and Infant and Child First Aid by an agency approved by the Cabinet.	
<b>C. Age/Training Requirements for Assistants:</b>	
1. An assistant must be at least eighteen (18) years of age or old	



2. An assistant used in the absence of the family child care home provider must be currently certified in Infant and Child CPR and Infant and Child First Aid by an agency approved by the Cabinet.	
a. An assistant used in the absence of the family child care home provider in excess of fourteen (14) calendar days during a one (1) year period shall demonstrate completion of at least nine (9) hours of cabinet-approved training in: (a) Basic health, safety, and sanitation;(b) Recognizing and reporting child abuse; and (c) Developmentally-appropriate child care practice.	
<b>D. Staff-Child Ratio</b>	
1. A certified family child care provider shall not provide care for more unrelated children than the number authorized on the certificate of operation [maximum of six (6) unrelated].	
2. If the provider cares for more than four (4) infants, including the provider's own or related infants, the provider shall have an assistant present.	
3. A provider shall not care for more than six (6) children under the age of six (6) years old including the provider's own or related children.	
4. The maximum number of unrelated children in the care of a certified family child care home provider shall not exceed six (6). A provider may care for four (4) related children in addition to six (6) unrelated children for a maximum child care capacity of ten (10).	
5. A certified family child care provider who operates the in-home child care business for twenty-four (24) consecutive hours shall: a) Receive an eight (8) hour respite after working sixteen (16) consecutive hours and b) Employ an assistant during the period of respite.	
<b>E. The Family Child Care Home Environment and Standards</b>	
1. The provider's home and each play area used for child care shall be safe and have adequate heat, light and ventilation.	
2. Each floor level used for child care including the basement if applicable shall have at least one unblocked exit and at least one smoke detector and fire extinguisher.	
3. New applicants and provider who change location shall have on each floor level used for child care at least two (2) unblocked exits to outside and one (1) smoke detector, fire extinguisher and a carbon monoxide detector if the home uses fuel burning appliances or has an attached garage.	
4. The home shall be free of hazards and the following items shall be kept inaccessible to (a) Cleaning supplies, poisons and insecticides (b) Knives, scissors and sharp objects (c) Power tools, lawn mowers, hand tools, nails and other equipment (d) Matches, cigarettes, lighters and flammable liquids (e) Alcoholic beverages (f) Plastic Bags (g) Litter and rubbish	
5. Guns and ammunition shall be stored away from the presence of children in separate locked containers: which, in order to be opened, requires a: (a) Key; (b) Combination.	
6. Electrical outlets not in use shall be covered.	
7. An electric fan, floor furnace, or freestanding heater or fireplace shall: (a) Be out of the reach of a child: or (b) Have a safety guard to protect a child from injury.	
8. The home shall have: (a) At least one (1) working land-line telephone on each level used for child care with a residential or commercial line; and (b) A list of emergency numbers posted by each telephone, including numbers for the: 1. Police; 2. Fire station; 3. Emergency medical care, rescue squad; and 4. Poison control center.	

9. Television or video viewing by a child shall be limited to: (a) Two (2) hours daily; (b) Program related materials; and (c) Developmentally-appropriate child-related content.	
10. Stairs and steps used for children in care shall be: (a) Solid; (b) Safe; and (c) Railed.	
11. If an infant or toddler is in the care of a provider, indoor stairs with more than two (2) steps shall be blocked.	
12. Exclusive of the bathroom and storage area, an indoor area, including furnishings, used for child care shall contain at least thirty-five (35) square feet per child for: (a) Play; and (b) Activities that meet the developmental needs of the children in care.	
13. An outdoor play area shall be free of hazards.	
14. Each child in an outdoor play area shall be under the direct supervision of the provider or assistant.	
15. Outdoor stationary play equipment shall be: (a) Securely anchored; (b) Developmentally appropriate; (c) Age appropriate; and (d) Safe.	
16. A trampoline shall not be accessible to a child in the care of a provider.	
17. An above ground pool must have a stationary wall which is at least four (4) feet high with no handholds or footholds.	
18. A swimming pool on the premises shall: (a) Be maintained; (b) Have a water filtering system; (c) Be supervised when in use; and (d) Be inaccessible when not in use.	
19. A fire and tornado drill shall be conducted during the hours of operation: (a) At least monthly; and (b) Documented.	
20. A earthquake drill shall be conducted during the hours of operation: (a) At least monthly; and (b) Documented.	
21. During hours of operation, the provider, and other persons in the home shall: (a) Be free of the influence of alcohol or a controlled substance, except for use of a controlled substance by a physician; and (b) Prohibit smoking in the presence of children in care.	
22. During a provider's absence, an assistant shall be physically present at the home during hours of operation.	
23. A provider shall not be employed outside of the home during regular hours of operation.	
24. The home shall: (a) Be clean; (b) Be uncluttered; (c) Be free of insects and rodents; (d) Have a water supply that is: 1. Properly located; 2. Protected; 3. Adequate; and 4. Of a source approved by the local health department; and (e) Have bathrooms, including toilets, sinks, and potty chairs that are: 1. Sanitary; and 2. In good working condition. (f) After outdoor and indoor play time.	

25. The refrigerator shall:	
(a) Be in working order; and	
(b) Have a working thermometer demonstrating that the refrigerator is maintained at a temperature of forty-five (45) degrees Fahrenheit or below.	
26. Except if thawed for preparation or use, frozen food shall be kept at a temperature of zero degrees Fahrenheit as verified by a thermometer in the freezer.	
27. Indoor and outdoor garbage shall be stored in a waterproof container with a tight-fitting cover.	
28. Adequate space shall be provided at rest-time for each child in care more than four (4) hours:	
(a) Rest-time area shall be comfortable, clean, safe, and in good repair.	
(b) An individual bed, crib, play pen, or cot with comfortable, clean, safe bedding shall be provided for each child.	
(c) A crib or play pen shall meet the Consumer Products Safety Commission Standards.	
(d) Individual linens shall be:	
1. Provided for each child; and	
2. Changed:	
a. At least weekly; or	
b. If soiled or wet, immediately.	
29. If overnight care is provided, the caregiver shall:	
(a) Remain awake until every child in care is asleep;	
(b) Sleep on the same floor level of the home as an infant or toddler.	
30. A written and posted routine plan shall be established for daily:	
(a) Activity;	
(b) Opportunity for outdoor play; and	
(c) Reading.	
31. Use of corporal physical discipline is prohibited, pursuant to KRS 199.896(18).	
32. A child shall be released from the family child care home to:	
(a) The child's custodial parent;	
(b) The person designated in writing by the parent to receive the child; or	
(c) In an emergency, a person designated over the telephone by the parent.	
33. To assure a healthy environment, the provider shall maintain a:	
(a) Current immunization certificate for each child within thirty (30) days of enrollment, unless an attending physician or parent objects to the immunization of a child pursuant to KRS 214.036;	
(b) Written record:	
1. Completed and signed by the child's parent; and	
2. Retained on file on the first day the child attends and include:	
a. The child's name, address, and date of birth;	
b. The name of each individual to whom the child may be released;	
c. The general status of the child's health;	
d. Allergies or restrictions on the child's participation in activities, with specific instructions from the child's parent or physician;	
e. The name and phone number of each person to be contacted in an emergency situation;	
f. The name and phone number of the child's physician and preferred hospital; and	
g. Authorization by the parent for the provider to seek emergency medical care in the parent's absence.	
34. The caregiver shall:	
(a) Be able to recognize symptoms of childhood illnesses;	
(b) Be able to provide basic first aid;	
(c) Maintain a child care program that assures affirmative steps are taken to protect children from abuse or neglect pursuant to KRS 600.020; and	
(d) Maintain daily attendance records documenting the arrival and departure time of each child.	
<b><u>F. Toilet and Diapering Requirements:</u></b>	
1. A toilet room shall:	
(a) Have an adequate supply of toilet paper; and	
(b) Be cleaned and sanitized daily.	

2. A sink shall be;

- (a) Located in or immediately adjacent to toilets;
- (b) Equipped with hot and cold running water that allows for hand washing;
- (c) Equipped with hot water no more than 110 degrees Fahrenheit.
- (d) Equipped with liquid soap and a single use, disposable hand drying material;
- (e) Equipped with an easily cleanable, covered waste receptacle; and
- (f) Immediately adjacent to a changing area used for infants and toddlers.

3. Each toilet shall:

- (a) Be kept in clean condition;
- (b) Be kept in good repair;
- (c) Be in a lighted room; and
- (d) Have ventilation to outside air.

4. An adequate quantity of freshly laundered or disposable diapers and clean clothing shall be available.

5. Diapers or clothing shall be:

- (a) Stored in a covered leak proof container temporarily; and
- (b) Washed or disposed of at least once a day.

6. The proper methods of diapering and hand-washing shall be posted at each diaper changing area.

**G. Food Requirements:**

1. The provider and assistant shall:

- (a) Use sanitary procedures when preparing and serving food.
- (b) Refrigerate perishable food and beverages

2. Meals shall:

- (a) Be served in an amount appropriate to the age of the child; and
- (b) Include appropriate types of food according to the age of the child.

3. Breakfast shall include:

- (a) Milk;
- (b) Bread; and
- (c) Fruit or vegetable or 100 percent juice.

4. A snack shall include two (2) of the following:

- (a) Milk;
- (b) Protein source;
- (c) Fruit or vegetable or 100 percent juice; or
- (d) Bread.

5. Lunch and dinner shall include:

- (a) Milk;
- (b) Protein source;
- (c) Two (2) vegetables or a fruit and one (1) vegetable; and
- (d) Bread.

6. A weekly menu shall be:

- (a) Prepared;
- (b) Dated;
- (c) Posted in a conspicuous place;
- (d) Kept on file for thirty (30) calendar days; and
- (e) If a substitution is made, the change shall be notified on the menu the day of the meal service.

7. Each child's bottle shall be:

- (a) Labeled;
- (b) Covered; and
- (c) Refrigerated.

**H. Medication and First Aid:**

1. Medication, including medicine that requires refrigeration shall be stored in a container or area with a lock.

2. Prescription medication shall not be administered to a child in care, except if authorized by:

- (a) A licensed physician; and

(b) The daily written request of the parent.	
3. The provider shall: (a) Maintain first aid supplies that are easily accessible for use in an emergency, but these supplies shall be inaccessible to the children in care	
4. First aid supplies shall include a fully-equipped first aid kit containing the following non-expired items: (a) Liquid soap; (b) Adhesive bandages; (c) Sterile gauze; (d) Medical tape; (e) Scissors; (f) A thermometer; (g) Flashlight; (h) Cold pack; (i) First-aid book; (j) Disposable gloves; and (k) A CPR mouthpiece.	
<b>I. Animals:</b>	
1. Animals shall be: (a) Supervised by an adult when in the presence of children in care; and (b) Certified as properly inoculated against rabies.	
2. A parent shall be notified in writing if a child has been bitten or scratched by an animal.	
3. Animals that are considered wild or exotic shall not be allowed at a family child care home.	
<b>J. Transportation:</b>	
1. If transportation is provided or arranged by the certified family child care home provider, the provider shall: (a) Have written permission from a parent to transport his child; (b) Have a car or van equipped with seat belts; (d) Have a valid driver's license issued by the Division of Motor Vehicles;	
<b>K. Records:</b>	
1. A certified family child care home provider shall maintain the confidentiality of a child's records.	
2. The provider shall: (a) Report an incident of suspected child abuse or neglect pursuant to KRS 620.030(1); and (b) Provide the cabinet access and information in the completion of the investigation pursuant to KRS 620.030(3).	
3. A certified family child care home provider shall keep a written daily record of the times a child arrives and departs.	
4. Certified family child care home providers shall keep all records for five (5) years.	
<b>L. Certified Family Child Care Home Program:</b>	
The certified family child care home provider shall:	
1. Develop written information that specifies the: (a) Rate for child care; (b) Expected frequency of payment for the program; (c) Hours of operation; and (d) Policy regarding: 1. Late fees; 2. Holidays; 3. Vacation; 4. Illness and 5. Emergency pick up.	

2. Make available a copy of the certification standards to each parent;	
3. Provide each parent with the name, address, and telephone number of the cabinet for the purpose of registering a complaint if the parent believes the family child care home provider is not meeting the standards;	
4. Post and provide to each parent a copy of children and parent rights, as required by KRS 199.898;	
5. A family child care home provider shall allow a parent and the cabinet or its designee access to the family child care home at any time a child is in care;	
6. Post in a prominent area in the home: <ul style="list-style-type: none"> <li>(a) The staff to child ratios described in Section 10 of this administrative regulation</li> <li>(b) The planned program of activities;</li> <li>(c) Each statement of deficiency issued by the cabinet during the current certification period;</li> <li>(d) Each plan of correction submitted by the certified family child care home to the cabinet during the current certification period; and</li> <li>(e) Daily schedule including any trips outside the family child care home.</li> </ul>	
7. Coordinate at least one (1) annual activity involving parental or family participation.	
8. Maintain a written child care agreement with each child's parent or custodian, including the name of each person designated by the parent to pick up the child.	

\*This form must be submitted with your application.

To the best of my knowledge, I certify that the above is an accurate assessment of my family child care home. I have been provided with a copy of 922 KAR 2:100 Certification of Family Child Care Homes regulations. I have read and understand the all of the regulations and requirements. I understand that I shall abide by all of the regulations to maintain compliance while my certified family child care home is in operation.

Provider's Name: \_\_\_\_\_ Phone #: (\_\_\_\_) \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
 (Street or RFD) (City) (Zip Code) (County)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**MAIL TO:**  
**CABINET FOR HEALTH AND FAMILY SERVICES**  
**OFFICE OF THE INSPECTOR GENERAL**  
**DIVISION OF REGULATED CHILD CARE**  
**275 EAST MAIN STREET, 5E-F**  
**FRANKFORT, KENTUCKY 40621**  
**502-564-7962**

## **SECTION II – Background Check(s) Forms**



REQUEST FOR CONVICTION RECORDS/ CHILD CARE

Pursuant to KRS 17.165, request is made for any record of conviction found in the files of the Kentucky centralized criminal history record information system regarding the person identified herein. This information shall be released to:

\_\_\_\_\_  
Agency Name and Address

ACKNOWLEDGMENT BY APPLICANT

I have applied for a position with the above stated agency. I am requesting that the Kentucky State Police provide the agency with any record of conviction found in the files of the Kentucky centralized criminal history record information system. I know that I have the right to inspect my criminal history record and to request correction of any inaccurate information. If I do not exercise that right, I agree to hold harmless the Kentucky State police and any Kentucky State Police employee(s) from any claim for damages arising from the dissemination of inaccurate information.

APPLICANT INFORMATION (PLEASE PRINT)

NAME: \_\_\_\_\_

Last First Middle Maiden

ADDRESS: \_\_\_\_\_

Street City State Zip

SEX \_\_\_\_\_ RACE \_\_\_\_\_ DATE OF BIRTH \_\_\_\_\_ SOC SEC NO \_\_\_\_\_

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Witness Date

**INSTRUCTIONS:**

**Requesting agencies should ensure that all application information is completed.**

Requesting agencies should forward a check or money order made payable to the Kentucky State Treasurer in the amount of \$10.00 for each submitted form. Requests should be accompanied by two, self-addressed stamped envelopes – one bearing the name and address of the requesting agency and the other bearing the name and address of the applicant.

**The Kentucky State Police will charge a \$25.00 fee on each returned check.**

**RETURN THIS FORM TO:**

Kentucky State Police  
Criminal Identifications and Records Branch  
Criminal Records Dissemination Section  
1250 Louisville Road  
Frankfort, KY 40601

Visit us online @ <http://kentuckystatepolice.org>

Revised 10/03



ADMINISTRATIVE OFFICE OF THE COURTS  
PRETRIAL SERVICES RECORDS DIVISION  
100 MILLCREEK PARK  
FRANKFORT, KENTUCKY 40601  
502-573-1882 or 800-928-6381  
pretrialcustomerservice@mail.aoc.state.ky.us



The process to obtain the information contained in the CourtNet Disposition System is as follows:

- Individuals** Requesting a record on yourself requires a \$10.00 fee (check or money order). Enclose a self addressed stamped envelope for a return reply.
- Nonprofit** Requesting a record on individuals requires a \$10.00 fee (check or money order) and your nonprofit number (Form #51-A-126). Your return envelope must be addressed with adequate postage, and the other envelope only needs the address of the person being checked.
- Health Care  
Housing Auth.**
- Licensing/  
Others** A request for licensing purposes and on another person requires a \$10.00 fee (check or money order) and must include two envelopes. Your return envelope must be addressed with adequate postage, and the other only needs the address of the person being checked.
- Government** Government entities must provide both envelopes mentioned above, a tax exempt number for waiver of fees, contact person, phone number, and mailing address on their request. Multiple inquires can be made on a continuation form.

Fees are paid to the order of the KENTUCKY STATE TREASURER by check or money order ONLY. FAILURE TO COMPLY WITH THESE PROCEDURES WILL RESULT IN THE REQUEST BEING RETURNED UNPROCESSED. If you suspect information contained on the record is incorrect, or have any questions, please contact Pretrial Services Records Division at (502) 573-1882 or (800) 928-6381.

PLEASE PRINT OR TYPE THE INDIVIDUALS INFORMATION CLEARLY.

SOCIAL SECURITY NUMBER: \_\_\_\_\_

NAME: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

MAIDEN OR ALIAS NAMES: \_\_\_\_\_

STREET ADDRESS / P.O. BOX: \_\_\_\_\_

CITY, STATE, ZIP CODE: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

I understand the information supplied by me must be truthful and falsification with an intent to mislead may result in my prosecution under KRS. 523.100. I have provided the basic information necessary to qualify for record processing and exemption of fees - if applicable.

\_\_\_\_\_  
Individual's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Non-Profit Number (Form 51-A-126), or Tax Exempt Number

\_\_\_\_\_  
E-mail address(sent to this e-mail only)

Would you like the CourtNet Records e-mailed? [ ] Yes [ ] No

\_\_\_\_\_  
Company

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Requestor/Contact Person

Please denote which purpose applies to this request:

\_\_\_\_\_  
Employment

\_\_\_\_\_  
Criminal Investigation

\_\_\_\_\_  
Screening Housing Applicants

\_\_\_\_\_  
Volunteer/Care over Juvenile

\_\_\_\_\_  
Licensing

\_\_\_\_\_  
Other (please explain) \_\_\_\_\_

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

COMMONWEALTH OF KENTUCKY  
CABINET FOR HEALTH AND FAMILY SERVICES

OFFICE OF THE INSPECTOR GENERAL  
DIVISION OF REGULATED CHILD CARE

CENTRAL REGISTRY CHECK

**FOR CERTIFIED FAMILY CHILD CARE HOMES, STATE LAW OR KENTUCKY ADMINISTRATIVE REGULATIONS REQUIRE A CHILD ABUSE/NEGLECT (CAN) CENTRAL REGISTRY CHECK AS A CONDITION OF OPERATING OR BEING EMPLOYED BY A CERTIFIED FAMILY CHILD CARE HOME. PLEASE CHECK THE CATEGORY FOR WHICH THE CAN CENTRAL REGISTRY CHECK IS BEING REQUESTED:**

- ☐ Applicant for Family Child Care Home Certification (CAN Check pursuant to 922 KAR 2:100)  
☐ Family Child Care Home Assistant/Employee (CAN Check pursuant to 922 KAR 2:100)  
☐ Other Adult Living in the Certified Home (Spouse, adult child, relative, etc.) (CAN Check pursuant to 922 KAR 2:100)

**OTHER** (If none of the above categories is applicable, please explain the reason for requesting a CAN central registry check, including the statutory or regulatory authority for the request):

PERSONAL INFORMATION REGARDING THE INDIVIDUAL SUBMITTING TO A CAN CENTRAL REGISTRY CHECK (PLEASE PRINT AND SUBMIT IDENTIFYING INFORMATION SUCH AS A COPY OF YOUR DRIVER'S LICENSE, SOCIAL SECURITY CARD, OR BIRTH CERTIFICATE):

NAME:

(First)

(Middle)

(Maiden)

(Last)

Sex: \_\_\_\_\_ Race: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Initial Hire: \_\_\_\_\_

Present Address: \_\_\_\_\_

Previous Address: \_\_\_\_\_

I hereby authorize the Cabinet for Health and Family Services, Office of the Inspector General, Division of Regulated Child Care, to perform Child Abuse/Neglect (CAN) check of the Central Registry, in accordance with 922 KAR 1:470; and to provide the person specifically mentioned below with the results of the check(s).

I also release the Cabinet for Health and Family Services, its officers, agents, and employees, from any liability or damages resulting from the release of this information.

Signature of the Individual Submitting to the CAN Central Registry Check \_\_\_\_\_ Date \_\_\_\_\_

Witness \_\_\_\_\_ Date \_\_\_\_\_

NAME OF CERTIFIED FAMILY CHILD CARE HOME PROVIDER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

A check or money order made payable to the "Kentucky State Treasurer" in the amount of ten dollars (\$10.00) must accompany your request to process a CAN Central Registry Check. The CAN Check will **NOT** be processed without payment. Mail check or money order to: **Office of the Inspector General**

**Division of Regulated Child Care**  
**275 E. Main Street, 5E-F**  
**Frankfort, KY 40621-0001**

**RESULTS OF CAN CENTRAL REGISTRY CHECK (FOR OFFICIAL USE ONLY)**

- ☐ No reportable substantiation of child abuse or neglect found in accordance with 922 KAR 1:470 at this time. CHECK CONDUCTED ON \_\_\_\_\_  
☐ Substantiated child abuse found in accordance with 922 KAR 1:470 at this time. Date of substantiated finding: \_\_\_\_\_  
☐ Substantiated child neglect found in accordance with 922 KAR 1:470 at this time. Date of substantiated finding: \_\_\_\_\_ BY \_\_\_\_\_

## **SECTION III – Parent Documents & Provider Resources**

COMMONWEALTH OF KENTUCKY  
IMMUNIZATION CERTIFICATE

(Required of each child enrolled in a public or private school, preschool program, day care center,  
certified family child care home, or other licensed facility which cares for children.)

Name of Child \_\_\_\_\_ Birthdate \_\_\_\_\_  
(Last) (First) (Middle)

Name of Parent or Guardian \_\_\_\_\_  
Address \_\_\_\_\_  
(Street) (City) (State) (Zip Code)

DIPHTHERIA, TETANUS, PERTUSSIS\* #1 / / #2 / / #3 / / #4 / / #5 / /

POLIO VACCINES #1 / / #2 / / #3 / / #4 / /

MMR (Measles, Mumps, Rubella)\*\* #1 / / #2 / / #3 / / #4 / / Other / / Other / /

Hib\*\*\* #1 / / #2 / / #3 / / #4 / /

Hepatitis B\*\*\*\* #1 / / #2 / / #3 / / or #1 / / #2 / / (adult dose)

Varicella \*\*\*\*\* #1 / / or child has had chickenpox disease (X) \_\_\_\_\_

\*DTaP, DTP, DT, Td \*\*MMR for one dose, measles-containing for second. \*\*\*Hib not required at age 5 years or more. \*\*\*\*

Alternative two dose series of approved adult hepatitis B vaccine for children 11-15 years of age. \*\*\*\*\*Varicella required for children 19 months to 7 years unless a parent, guardian or physician states that the child has had chickenpox disease.

This child is current for immunizations until / / (two weeks after the next shot is due) after which this certificate is no longer valid and a new certificate must be obtained.

I CERTIFY THAT THE ABOVE NAMED CHILD HAS RECEIVED IMMUNIZATIONS AS STIPULATED ABOVE.

Signature of physician, Health Dept., or their designee: \_\_\_\_\_ Date: \_\_\_\_\_

This Certificate should be presented to the school or facility in which the child intends to enroll and should be retained by the school or facility and filed with the child's health record.

EPID-230 (Rev 8/2002)

**COPY**  
**FOR ILLUSTRATION PURPOSES**

**199.898 Rights for children in child-care programs and their parents, custodians, or guardians -- Posting and distribution requirements.**

- (1) All children receiving child-care services in a day-care center licensed pursuant to KRS 199.896, a family child-care home certified pursuant to KRS 199.8982, or from a provider or program receiving public funds shall have the following rights:
  - (a) The right to be free from physical or mental abuse;
  - (b) The right not to be subjected to abusive language or abusive punishment; and
  - (c) The right to be in the care of adults who shall meet their health, safety, and developmental needs.
- (2) Parents, custodians, or guardians of children specified in subsection (1) of this section shall have the following rights:
  - (a) The right to have access to their children at all times the child is in care and access to the provider caring for their children during normal hours of provider operation and whenever the children are in the care of the provider;
  - (b) The right to be provided with information about child-care regulatory standards, if applicable; where to direct questions about regulatory standards; and how to file a complaint;
  - (c) The right to file a complaint against a child-care provider without any retribution against the parent, custodian, guardian, or child;
  - (d) The right to obtain information from the cabinet regarding any type of licensure denial, suspension, or revocation of an operator, and cabinet reports that have found abuse or neglect by any child-care provider or any employee of a child care provider. Identifying information regarding children and their families shall remain confidential;
  - (e) The right to obtain information from the cabinet regarding the inspections and plans of correction of the day-care center, the family child-care home, or the provider or program receiving public funds within the past year; and
  - (f) The right to review and discuss with the provider any state reports and deficiencies revealed by such reports.
- (3) The child-care provider who is licensed pursuant to KRS 199.896 or certified pursuant to KRS 199.8982 shall post these rights in a prominent place and shall provide a copy of these rights to the parent, custodian, or guardian of the child at the time of the child's enrollment in the program.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 524, sec. 3, effective July 15, 1998. -- Created 1992 Ky. Acts ch. 57, sec. 1, effective July 14, 1992.

## Child Care Resource & Referral Agencies across Kentucky

### Audubon Area Community Services

Director: Carrie Blackham  
(270) 686-1692  
carrie.blackham@ky.gov  
http://ccrr.audubon-area.com

### Green River

Counties: Daviess, Hancock, Henderson, McLean, Ohio, Union, Webster  
P.O. Box 20004  
Owensboro, KY 42304  
Nancy Roberts (270) 686-1668  
nroberts@audubon-area.com  
(877) 389-7513

### Pennyrile

Counties: Caldwell, Christian, Crittenden, Hopkins, Livingston, Lyon, Muhlenberg, Todd, Trigg  
1100 S. Main St. Suite 3  
Hopkinsville, KY 42240  
Virginia Erxleben  
(800) 689-5144  
virginia.erxleben@kctcs.edu  
(270) 886-7374

### Child Care Council

#### Bluegrass

Counties: Anderson, Bourbon, Boyle, Clark, Estill, Fayette, Franklin, Garrard, Harrison, Jessamine, Lincoln, Madison, Mercer, Nicholas, Powell, Scott, Woodford  
1460 Newtown Pike, Ste 101  
Lexington, KY 40511  
(859) 254-9176  
Director: Bradley Stevenson  
(800) 809-7076  
bradley.stevenson@ky.gov  
www.childcarecouncilofky.com

### 4C for Children

#### Northern Kentucky

Counties: Boone, Campbell, Carroll, Gallatin, Grant, Kenton, Owen, Pendleton  
20 N. Grand Ave, Ste 1-A  
Ft. Thomas, KY 41075  
Director: Laura Heuser  
(859) 781-3511 ext 8510  
lheuser@4cforchildren.org  
(800) 256-1296  
Chief Operating Officer: Elaine Ward  
eward@4cforchildren.org  
(859) 781-3511 ext 1212  
www.4c-cinci.org/index.html

### 4C-Community Coordinated Child Care

#### KIPDA

Counties: Bullitt, Henry, Jefferson, Oldham, Shelby, Spencer, Trimble  
1215 South Third St  
Louisville, KY 40203  
(502) 636-1358  
Director: Susan Vessels (800) 928-1350  
susan-vessels@4cforkids.com  
www.4cforkids.org

### 4C-Community Coordinated Child Care

#### Lincoln Trail

Counties: Breckinridge, Grayson, Hardin, Larue, Marion, Meade, Nelson, Washington  
54 First Street  
Elizabethtown, KY 42701  
Director: Kathy King (270) 360-9911  
(877) 316-3552  
kathy.king@ky.gov  
www.4cforkids.org

### Eastern Kentucky Child Care Coalition

Exec. Director: June Widman  
(859) 986-5896 ext 106  
Central Office: PO Box 267  
Berea, KY 40403  
junewidman@ekccc.org  
www.ekccc.org

### Big Sandy

Counties: Floyd, Johnson, Magoffin, Martin, Pike  
240 Francis Ct  
Prestonsburg, KY 41653 (606) 886-1280  
Karen Baldrige (888) 872-7227  
baldridgek@bellsouth.net

### Cumberland Valley

Counties: Bell, Clay, Harlan, Jackson, Knox, Laurel, Rockcastle, Whitley  
PO Box 927  
Barbourville, KY 40906  
Carroll Ann Busher (877) 484-5780  
carrollannbusher@ekccc.org (606) 546-4874

### Lake Cumberland

Counties: Adair, Casey, Clinton, Cumberland, Green, McCreary, Pulaski, Russell, Taylor, Wayne  
2371 Monticello Rd  
Somerset, KY 42501  
Carroll Ann Busher  
(800) 354-3703  
carrollannbusher@ekccc.org  
(606) 679-0167

### Kentucky River

Counties: Breathitt, Knott, Lee, Leslie, Letcher, Owsley, Perry, Wolfe  
124 Corporate Drive - Suite 103  
Hazard, KY 41701  
Karen Baldrige (606) 487-0028  
baldridgek@bellsouth.net  
(800) 528-1599

### Northeast Kentucky Community Action Agency, Inc.

#### FIVCO

Counties: Boyd, Carter, Elliott, Greenup, Lawrence  
539 Hitchins Ave  
Olive Hill, KY 41164  
Coordinator: Nellie Biggs  
(606) 286-4443; (800) 817-4443  
nelliebiggs@yahoo.com  
www.nkcaa.org

### Purchase Area Development District

Counties: Ballard, Calloway, Carlisle, Fulton, Graves, Hickman, McCracken, Marshall  
1002 Medical Drive  
Mayfield, KY 42066 (270) 247-7171  
Director: Beth Carrico (877) 352-5183  
beth.carrico@purchaseadd.org

### WKU Training and Technical Assistance Services

#### Barren River

Counties: Allen, Barren, Butler, Edmonson, Hart, Logan, Metcalfe, Monroe, Simpson, Warren  
Child Care Resource and Referral - T/TAS  
Western Kentucky University  
1906 College Heights Blvd. #11098  
Bowling Green, KY 42101-1098  
(270) 745-2216  
Connie Jo Smith (800) 621-5908  
connie.smith@wku.edu  
Jill Norris (800) 621-5908  
jill.norris@wku.edu  
www.wku.edu/ccrr-wku

### Licking Valley Community Action Program

203 High Street  
Flemingsburg, KY 41041  
Director: Melissa Saunders Kane  
(800) 327-5196  
mkane@lvcap.com

### Buffalo Trace

Counties: Bracken, Fleming, Lewis, Mason, Robertson  
www.lvcapresourceandreferral.org/buffalo\_trace\_area.htm  
Gateway  
Counties: Bath, Menifee, Montgomery, Morgan, Rowan  
www.lvcapresourceandreferral.org/gateway\_area.htm

### Kentucky Partnership for Early Childhood Services

Human Development Institute  
University of Kentucky  
126 Mineral Industries Building  
Lexington, KY 40506-0051  
Program Manager: Amy Booth  
(859) 257-4910  
amy.booth@uky.edu  
(800) 956-8950  
www.kentuckypartnership.org

# **THE CHILD AND ADULT CARE FOOD PROGRAM**

The Child and Adult Care Food Program (CACFP) provide nutritious meals to participants enrolled in child care centers, day care homes, and adult care centers. It gives young children a chance to try many different types of foods and helps teach them how to choose foods that are good for them.

## **HOW DOES IT WORK?**

Through the CACFP the federal government helps certain kinds of organizations and facilities pay for nutritious meals they serve to participants. The program is available to:

- \* Public and private nonprofit organizations providing licensed nonresidential day care services, such as:
  - \*Day care centers
  - \*Centers that care for school-age children when they are not in school
  - \*Day care homes (homes licensed/approved to care for up to 12 children)
  - \*Institutions providing day care for handicapped children
  - \*Adult care centers
- \* Private for-profit centers
- \* Others meeting program regulations

Child care centers, outside-school hours centers, and adult care centers can participate in the CACFP either independently or through a sponsoring organization that accepts full administrative and financial responsibility for the program. Day care homes must participate through a sponsoring organization; they cannot enter the CACFP directly.

## **WHO CAN BE SERVED?**

The CACFP can reimburse participating facilities and organizations for meals served to children 12 years and younger. There are two exceptions: children of migrant workers can be as old as 15 years old; and people with physical or mental handicaps can be any age if they receive care at a center where most of the enrollees are 18 years old or younger. Adult day care centers are reimbursed for meals served to participants enrolled in the center for care.

## **ELIGIBILITY REQUIREMENTS**

All institutions that receive funds through the CACFP must have a license/approval issued by the Cabinet for Families and Children. A sponsoring organization that is responsible for the administration of the CACFP funds does not have to be licensed for day care services, but the facility actually caring for children and adults must be licensed.

All non-private sponsors must have tax exempt status under the Internal Revenue Code of before they apply for participation in the CACFP. Family day care homes are not required to be tax-exempt, but their sponsors that are private organizations must be tax-exempt.

## MEAL SERVICE

All institutions participating in the CACFP must serve meals that meet nutrition standards set by the U.S. Department of Agriculture. Child care centers may receive reimbursement for up to two meals and one snack OR two snacks and one meal per child per day. Adult day care centers and family day care homes may receive reimbursement for up to two meals and one snack per participant per day.

## WHAT HELP IS AVAILABLE?

The CACFP provides financial assistance to child and adult care centers and sponsoring organizations of day care homes so the participants enrolled in day care can receive nutritious meals.

Program payments to child care centers, outside-school-hours care centers and adult care centers are calculated by the following equation:

$$\begin{array}{c} \text{Number of meals served to eligible participants} \\ \text{Multiplied by} \\ \text{The appropriate rates of reimbursement.} \end{array}$$

The rate for each participant depends on the size of the family and the family's income.

All meals served by day care homes under the CACFP are reimbursed at the payment rate for that type meal. Homes receive the full rate for each meal that meets program requirements. The sponsoring organization must pass the full food service payment to the day care home, unless the sponsoring organization provides part of the home's food service.

Day care home providers receive reimbursement for meals served to their own children only when (1) their household meets the family size and income standards for free and reduced-price meals and are participating in the CACFP and (2) other children who do not live in the home are enrolled and present in day care at the home and participating in the Program.

Separate administrative funds are provided to sponsoring organizations for each home they sponsor.

## ADMINISTERING AGENCY

In Kentucky, the CACFP is administered by the Kentucky Department of Education. For more details, write or call:

Denise Hagan, Program Manager  
Division of Nutrition & Health Services  
2545 Lawrenceburg Road  
Frankfort, KY 40601  
(502)564-5625

<https://kyeascn1.state.ky.us/nutrition/cacfp.asp>

**The CACFP is available to all without regard to race, color, national origin, sex, age or disability. If you believe you have been discriminated against, write immediately to the Secretary of Agriculture, Washington, D.C. 20250. Printed with federal funds by the Kentucky Department of Education**



## **SECTION IV – Regulatory Information**

**922 KAR 2:100. Certification of family child-care homes.**

RELATES TO: KRS Chapter 13B, 17.165, 186.020, 194A.050(1), 199.011(2), 199.894(5), 199.896(18), 199.898, 199.8982, 214.036, 314.01(5), 600.020, 620.030, 16 C.F.R. 1508-1509, 45 C.F.R. 98.2, 49 C.F.R. 571.213.

STATUTORY AUTHORITY: KRS 13B.170, 194A.050(1) 199.8982(1)(f)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 199.8982(1)(f) requires the cabinet to promulgate administrative regulations to establish standards for the issuance, monitoring, release of information, renewal, denial, revocation, and suspension of a certificate of operation, and to impose minimum staff-to-child ratios for a family child-care home. The statute authorizes the cabinet to establish minimum safety requirements for operation of a certified family child-care home. This administrative regulation establishes minimum requirements intended to protect the health, safety, and welfare of children cared for by certified family child-care home providers.

**Section 1. Definitions.** (1) "Assistant" means a person:

(a) Who meets the requirements listed in Section 2(5) and Section 9(7), (8), and (9) of this administrative regulation; and

(b) Whose work is either paid or unpaid.

(2) "Cabinet" is defined by the KRS 199.011(2).

(3) "Child" is defined by KRS 199.011(4):

(a) Thirteen (13) years of age; or

(b) Eighteen (18) years of age if the minor has a special need in which supervision is required.

(4) "Corporal physical discipline" is defined by KRS 199.896(18).

(5) "Family child-care home" is defined by KRS 199.894(5).

(6) "Health professional" means a person currently licensed as a:

(a) Physician;

(b) Physician's assistant;

(c) Advanced registered nurse or practitioner; or

(d) Registered nurse as defined by KRS 314.011(5) under the supervision of a physician.

(7) "Home" means the private primary residence of the certified family child-care home provider and contiguous property.

(8) "Infant" means a child who is less than twelve (12) months of age.

(9) "Parent" is defined by 45 C.F.R. 98.2.

(10) "Parental or family participation" means a family child-care home's provision of information or inclusion of a child's parent in the child-care home's activities such as:

(a) Distribution of a newsletter;

(b) Distribution of a program calendar;

(c) A conference between the provider and the parent; or

(d) Other activity designed to engage a parent in the program's activities.

(11) "Premises" means the building and contiguous property in which child care is provided and certified.

(12) "Provider" means an owner, operator, or person who:

(a) Cares for a child in the provider's own home;

(b) Is not required to be licensed under 922 KAR 2:090; and

(c) Meets the requirements of Section 2 of this administrative regulation.

(13) "Related" means having one (1) of the following relationship with the provider:

1. Child;

2. Grandchild;

3. Niece;

4. Nephew;

5. Sibling;

6. Step-child; or

7. Child in legal custody of the provider.

(14) "School-age child" means a child attending kindergarten, elementary, or secondary education.

(15) "Toddler" means a child between the age of twelve (12) months and twenty four (24) months.

**Section 2. Certification Process.** (1) The cabinet or its designee shall be responsible for certifying a family child-care home.

(2) An applicant for certification shall:

(a) Be at least eighteen (18) years of age;

(b) Submit within ninety (90) days of initiation of the application process:

1. A completed OIG-RCC-4, Application for Certified Family Child Care Home;

2. A completed OIG-RCC-6, Self-Check List;

3. A nonrefundable certification fee pursuant to KRS 199.8982(1)(b);

4. Written documentation from the local authority showing the child-care home is in compliance with local zoning requirements;

5. Documentation of the requirements of KRS 199.8982(1)(a)1 through 3 and 5;

6. A OIG-RCC-5, Central Registry Check, to complete a child abuse or neglect check in accordance with 922 KAR 1:470; and

7. A completed criminal records check for the previous state of residence if the applicant has resided outside the state of Kentucky in the last five (5) years;

and

(c) Obtain commercial liability insurance of at least \$50,000 per occurrence

(3) Effective January 1, 2009, an initial applicant for certification shall have a:

(a) High school diploma, general equivalency diploma (GED), or documentation from a comparable educational entity; or

(b) Commonwealth Child Care Credential in accordance with 92 KAR 2:250.

(4) An applicant shall be currently certified by a agency approved in accordance with 922 KAR 2:240, Section 15 in infant and child;

(a) Cardiopulmonary resuscitation (CPR); and

(b) First aid.

(5) An adult living in the home of the applicant and the applicant's assistant shall submit:

(a) To a criminal records check required by KRS 17.165 within a year prior to application by the Justice Cabinet or Administrative Office of the Courts;

(b) To a child abuse or neglect check on OIG-RCC-5 in accordance with 922 KAR 1:470; and

(c) A copy of the results of a negative tuberculosis skin test or a health professional's statement documenting that the adult is free of active tuberculosis.

(6) An applicant of assistant who has been convicted of a non-violent felony or misdemeanor may be approved on a case by case basis with consideration given to the:

(a) Nature of the offense;

(b) Length of time that has elapsed since the event; and

(c) Applicant's life experiences after the conviction.

(7) Upon receipt of a completed application for certification, and a nonrefundable certification fee pursuant to KRS 199.8982(1)(b), cabinet staff shall:

- (a) Review and process the application; and
- (b) Conduct an unannounced inspection of the home pursuant to KRS 199.8982(1)(b).
- (8) If the requirements of subsections (1) through (7) of this section, Section 3, and Sections 9 through 17 of this administrative regulation have been met, an applicant shall be certified as described in KRS 199.8982.
- (9) Within three (3) months of submission to the cabinet of a complete OIG-RCC-4, an applicant shall:
  - (a) Demonstrate completion of six (6) hours of cabinet-approved training in accordance with KRS 199.8982(1)(a)6; and
  - (b) Develop and implement a written plan for obtaining nine (9) hours of annual cabinet-approved training as required in Section 9(1) of this administrative regulation.
- (10) The family child-care home certificate shall:
  - (a) Be displayed in a prominent place, as required by KRS 199.8982(1)(c);
  - (b) Contain the:
    - 1. Name and address of the child care provider;
    - 2. Maximum number of unrelated children who may be served;
    - 3. Identification number; and
    - 4. Effective and expiration date; and
  - (c) Be valid for only the:
    - 1. Name of the individual authorized on the certificate to operate a family child child-care; and
    - 2. Residential address printed on the certificate.
- (11) A change of location shall require:
  - (a) A ten (10) calendar day notice;
  - (b) A completed OIG-RCC-4;
  - (c) An inspection of the new home; and
  - (d) Continued compliance with this administrative regulation.

Section 3. Renewal of Certification. (1) Family child-care certification shall be renewed every two (2) years.

- (2) The family child-care home provider shall submit one (1) month prior to expiration of certification:
  - (a) A completed OIG-RCC-4;
  - (b) A nonrefundable renewal fee pursuant to KRS 199.8982(1)(b);
  - (c) A physician's statement documenting that the family child-care home provider's health is satisfactory for continued operation of a family child-care home; and
  - (d) Proof that the family child-care home provider continues to meet the minimum requirements specified in Sections 2, 3, and 9 through 17 of this administrative regulation.
- (3) The cabinet shall:
  - (a) Review and process the application;
  - (b) Conduct an unannounced inspection of the home pursuant to KRS 199.8982(1)(b); and
  - (c) Approve the family child-care home; within fifteen (15) calendar days of receipt of the application if the requirements in Sections 2, 3, and 9 through 17 of this administrative regulation are met.

Section 4. Denial of Application for Certification. (1) An application for initial certification or renewal of certification as a family child-care home provider shall be denied if the applicant, assistant, or an adult residing in the household has:

- (a) Abused or neglected a child according to a check of the central registry in accordance with 922 KAR 1:470; or
- (b) A history of behavior that may impact the safety or security of a child in care including:
  - 1. A criminal conviction of a sex crime or violent crime as defined in KRS 17.165(1) and (3);
  - 2. A conviction for a drug-related felony; or
  - 3. Other behavior or condition indicating inability to provide reliable care to a child.
- (2) An application for certification as a family child-care home provider shall be denied if the applicant:
  - (a) Fails to comply with the minimum certification standards specified in Sections 9 through 17 of this administrative regulation and KRS 199.8982; or
  - (b) Knowingly misrepresents or submits false information on the application or other form required by the cabinet or its designee.
- (3) Effect of previous denial or revocation.
  - (a) If an applicant for certification has had a prior certificate or license to operate a child care business denied or revoked, the cabinet shall grant the applicant a certificate to operate a family child-care home if:
    - 1. A two (2) year period has expired from the:
      - a. Date of the prior denial or revocation;
      - b. Last day of legal remedies being exhausted; or
      - c. Date of the Final Order from an administrative hearing; and
    - 2. The applicant has:
      - a. The proven ability to comply with the provisions of this administrative regulation and KRS 199.8982;
      - b. Completed, since the time of the prior denial or revocation, sixty (60) hours of cabinet-approved training in developmentally appropriate child care practice; and
      - c. Not had an application, certificate, or license to operate as a child care provider denied or revoked for:
        - (i) Conviction of a sex crime or violent crime as defined in KRS 17.165(1) and (3); or
        - (ii) Abuse or neglect of a child according to a check of the central registry in accordance with 922 KAR 1:470.
    - (b) If a certificate is granted after the two (2) year period specified in paragraph (a) of this subsection, the provider shall serve a two (2) year probationary period during which the home shall be inspected on at least a quarterly basis.

Section 5. Intermediate Sanctions. (1) If the cabinet determines that a certified family child-care home provider is in violation of this administrative regulation, the cabinet may, based on the severity of the violation:

- (a) Require the provider to participate in additional training;
- (b) Increase the frequency of monitoring by cabinet staff;
- (c) Enter into an agreement with the provider detailing the requirements for remedying a violation and achieving compliance; or
- (d) Notify or require the provider to notify a parent of a child who may be affected by the situation for which an intermediate sanction has been imposed.
- (2) An intermediate sanction shall result in a suspension or revocation of certification if a certified family child-care home provider:
  - (a) Fails to meet a condition of the intermediate sanction; or
  - (b) Violates a requirement of an intermediate sanction.

Section 6. Suspension. The cabinet shall take emergency action in accordance with KRS 13B.125, by issuing an emergency order that results in suspension of the operation of a certified family child-care home. (1) An emergency order shall:

- (a) Be served to a certified family child-care home provider in accordance with KRS 13B.050(2); and
- (b) Specify the regulatory violation that caused the emergency condition to exist.

- (2) Upon receipt of an emergency order, the provider shall surrender the certificate of operation to the cabinet.
- (3) The cabinet or its designee and the provider shall make reasonable efforts to:
  - (a) Notify a parent of each child in care of the suspended provider; and
  - (b) Refer a parent for assistance in locating alternate child care arrangements.
- (4) The provider's certification for operation of a family child-care home shall be revoked if:
  - (a) The provider does not request a hearing; or
  - (b) The condition that resulted in the emergency order is not corrected within thirty (30) calendar days of service of the emergency order.

Section 7. Revocation. (1) A family child-care home provider's certification shall be revoked if the provider:

- (a) Knowingly misrepresents or submits false information on the application or other form required by the cabinet or its designee;
  - (b) Interferes with a cabinet representative's ability to perform an official duty;
  - (c) Refuses, during the hours of operation, access by a parent or cabinet representative to:
    1. A child; or
    2. Space in the home used for child care;
  - (d) Is convicted of a criminal charge that threatens the health, safety, or welfare of a child in care;
  - (e) Is unable to operate a family child-care home due to a medical condition; or
  - (f) Is unable to continue to meet the requirements of KRS 199.8982(1) or Sections 2, 3, and Sections 9 through 17 of this administrative regulation.
- (2) If the cabinet determines that a condition of subsection (1) of this section exists, the cabinet or its designee shall send a written notice of revocation delivered by personal service or through certified mail at least thirty (30) calendar days prior to the effective date of the revocation.
- (3) The notice of revocation shall:
- (a) Explain the reason for the revocation;
  - (b) Specify that the child care provider shall cease operation as a certified family child-care home upon revocation;
  - (c) Advise the family child-care home provider of the right to request an appeal on an OIG-RCC-7, Request for Appeal, prior to the effective date of the revocation;
  - (d) Specify that revocation shall be stayed if an appeal is requested; and
  - (e) Require the family child-care provider to surrender the certificate of operation to cabinet staff when the revocation becomes effective.
- (4) If a provider's certification has been revoked, the cabinet or its designee and the provider shall make reasonable efforts to:
- (a) Notify a parent of each child in care; and
  - (b) Refer the parent for assistance in locating alternate child care arrangements.

Section 8. Appeal of Denials, Intermediate Sanctions, Suspension, and Revocation. (1) If the cabinet denies certification, imposes an intermediate sanction, suspends certification, or revokes certification, the family child-care home provider may request an appeal by completing an OIG-RCC-7. Upon request of the appeal, the provider shall be afforded a hearing in accordance with KRS Chapter 13B.

- (2) If a hearing officer's final order from an administrative hearing does not uphold a suspension, the provider may resume providing child care.

Section 9. Standards for the Provider. (1) The provider shall complete annually at least nine (9) hours of cabinet-approved child development training beginning with the second year of operation.

- (2) A provider shall not provide care for more unrelated children than the number authorized on the certificate of operation.
- (3) If the provider cares for more than four (4) infants, including the provider's own or related infants, the provider shall have an assistant present.
- (4) A provider shall not care for more than six (6) children under the age of six (6) years old, including the provider's own or related children.
- (5) The maximum number of unrelated children in the care of a certified family child-care home provider shall not exceed six (6) at any one (1) time. A provider may care for four (4) related children in addition to six (6) unrelated children for a maximum child care capacity of ten (10) at any one (1) time.
- (6) If a provider operates the in-home child care business for twenty-four (24) consecutive hours, the provider shall:
  - (a) Receive an eight (8) hour period of respite after working sixteen (16) consecutive hours; and
  - (b) Employ an assistant during the period of respite.
- (7) Prior to being left alone with a child, an assistant shall be certified by a cabinet-approved agency in infant and child:
  - (a) CPR; and
  - (b) First aid.
- (8) An assistant shall be:
  - (a) Eighteen (18) years of age or older;
  - (b) Under direct supervision of a provider;
  - (c) Used for providing care in a certified child-care home; and
  - (d) Used in the absence of the certified provider.
- (9) An assistant used in the absence of the family child-care home provider in excess of fourteen (14) calendar days during a one (1) year period shall demonstrate completion of at least nine (9) hours of cabinet-approved training in:
  - (a) Basic health, safety, and sanitation;
  - (b) Recognizing and reporting child abuse;
  - (c) Developmentally-appropriate child care practice; and
  - (d) Early care and education.

Section 10. The General Requirements of the Family Child-Care Home Environment. (1) The provider's home and each play area used for child care shall:

- (a) Be free from risk of harm in accordance with the requirements of this administrative regulation; and
- (b) Have adequate:
  1. Heating and cooling;
  2. Light; and
  3. Ventilation.
- (2) Each floor level used for child care shall have at least one (1):
  - (a) Unblocked exit to the outside;
  - (b) Smoke detector;
  - (c) Fire extinguisher; and
  - (d) Carbon monoxide detector if the home:
    1. Uses fuel burning appliances; or
    2. Has an attached garage.
- (3) A new applicant or a provider who changes location shall have at least two (2) unblocked exits to the outside on each floor level used for child care.
- (4) The areas of the home that are accessible to children in care shall be free from items harmful to children including the following items:
  - (a) Cleaning supplies, poisons, paints, and insecticides;
  - (b) Knives, scissors, and sharp objects;
  - (c) Power tools, lawn mowers, hand tools, nails, and other equipment;
  - (d) Matches, cigarettes, lighters, combustibles, and flammable liquids;

- (e) Alcoholic beverages;
- (f) Plastic bags; and
- (g) Litter and rubbish.
- (5) Guns and ammunition shall be stored away from the presence of children, in separate locked containers, which, in order to be opened, require a:
  - (a) Key; or
  - (b) Combination.
- (6) Electrical outlets not in use shall be covered.
- (7) An electric fan, floor furnace, or freestanding heater or fireplace shall:
  - (a) Be out of the reach of a child; or
  - (b) Have a safety guard to protect a child from injury.
- (8) The home shall have:
  - (a) At least one (1) working land-line, unless the cabinet has been notified that the telephone is temporarily out of service telephone on each level used for child care with a residential or commercial line; and
  - (b) A list of emergency numbers posted by each telephone, including numbers for the:
    - 1. Police;
    - 2. Fire station;
    - 3. Emergency medical care and rescue squad; and
    - 4. Poison control center.
- (9) Equipment and toys shall be:
  - (a) Designated by the manufacturer as developmentally appropriate to the age of children in care;
  - (b) In sufficient quantity for the number of children in care; and
  - (c) Safe, sound, clean, and in good repair.
- (10) Television or video viewing by a child shall be limited to:
  - (a) Two (2) hours daily;
  - (b) The planned program activities; and
  - (c) Developmentally-appropriate child-related content, as designated by standardized content guidelines.
- (11) Stairs and steps used for children in care shall be:
  - (a) Solid;
  - (b) Safe; and
  - (c) Railed.
- (12) If an infant or toddler is in the care of a provider, indoor stairs with more than two (2) steps shall be blocked.
- (13) Exclusive of the bathroom and storage area, an indoor area, including furnishings, used for child care shall contain at least thirty-five (35) square feet per child for:
  - (a) Play; and
  - (b) Activities that meet the developmental needs of the children in care.
- (14) An outdoor play area shall be free of unavoidable danger or risk.
- (15) Each child in an outdoor play area shall be under the direct supervision of the provider or assistant.
- (16) Outdoor stationary play equipment shall be:
  - (a) Securely anchored;
  - (b) Developmentally appropriate;
  - (c) Age appropriate; and
  - (d) Safe.
- (17) A trampoline shall not be accessible to a child in the care of a provider.
- (18) A swimming pool on the premises shall:
  - (a) Be maintained;
  - (b) Have a water filtering system;
  - (c) Be supervised when in use; and
  - (d) Be inaccessible to children when not in use.
- (19) An above-ground pool shall have:
  - (a) A stationary wall no less than four (4) feet tall; and
  - (b) Hand holds or foot holds that are inaccessible when the pool is not in use.
- (20) A fire and tornado drill shall be conducted during hours of operation:
  - (a) At least monthly; and
  - (b) Documented.
- (21) An earthquake drill shall be conducted during hours of operation:
  - (a) At least quarterly; and
  - (b) Documented.
- (22) During hours of operation, the provider and other persons in the home shall:
  - (a) Be free of the influence of alcohol or a controlled substance, except for use of a controlled substance prescribed by a physician; and
  - (b) Prohibit smoking in the presence of children in care.
- (23) During a provider's absence, an assistant shall be physically present at the home during hours of operation.
- (24) A provider shall not be employed outside of the home during regular hours of operation.
- (25) The home shall:
  - (a) Be clean;
  - (b) Be uncluttered;
  - (c) Be free of insects and rodents;
  - (d) Have a water supply that is:
    - 1. Potable;
    - 2. Adequate; and
    - 3. From an approved public water supply; and
  - (e) Have bathrooms, including toilets, sinks, and potty chairs that are:
    - 1. Sanitary; and
    - 2. In good working condition.
- (26) A child shall wash hands with liquid soap and warm running water:
  - (a) Before and after eating or handling food;
  - (b) After toileting or diaper change;
  - (c) After handling animals;
  - (d) After wiping or blowing nose;
  - (e) After touching items soiled with body fluids or waste; and

- (f) After outdoor and indoor play time.
- (27) The provider and an assistant shall:
  - (a) Wash hands with liquid soap and warm running water:
    - 1. Before and after diapering a child;
    - 2. Before and after feeding a child;
    - 3. After toileting or assisting a child with toileting;
    - 4. After handling animals;
    - 5. Before dispensing medication;
    - 6. After caring for a sick child; and
    - 7. After wiping or blowing a child's or own nose.
  - (b) Assure that a child shall not share:
    - 1. Cups;
    - 2. Eating utensils;
    - 3. Wash cloths;
    - 4. Towels; and
    - 5. Toiletry items.
- (28) The refrigerator shall:
  - (a) Be in working order; and
  - (b) Maintain product temperature at or below forty-five (45) degrees Fahrenheit.
- (29) Except if thawed for preparation or use, frozen food shall be kept at a temperature of zero degrees Fahrenheit as verified by a thermometer in the freezer.
- (30) While bottle-feeding an infant, the:
  - (a) Child shall be held; and
  - (b) Bottle shall not be:
    - 1. Propped;
    - 2. Left in the mouth of a sleeping infant; or
    - 3. Heated in a microwave.
- (31) Windows, doors, and outer openings shall be screened to prevent the entrance of vermin. to prevent the entrance of vermin.
- (32) Indoor and outdoor garbage shall be stored in a waterproof container with a tight-fitting cover.
- (33) Adequate space shall be provided at rest-time for each child in care more than four (4) hours:
  - (a) Rest-time area shall be comfortable, clean, safe, and in good repair.
  - (b) An individual bed, crib, play pen, two (2) inch thick waterproof mat, or cot with comfortable, clean, safe bedding shall be provided for each child.
  - (c) A crib or play pen shall meet the Consumer Products Safety Commission Standards established in 16 C.F.R. 1508-1509.
  - (d) Individual linens shall be:
    - 1. Provided for each child; and
    - 2. Changed:
      - a. At least weekly; or
      - b. If soiled or wet, immediately.
- (34) If overnight care is provided, the caregiver shall:
  - (a) Remain awake until every child in care is asleep; and
  - (b) Sleep on the same floor level of the home as an infant or toddler.
- (35) A written and posted routine plan shall be established for daily:
  - (a) Activity;
  - (b) Opportunity for outdoor play; and
  - (c) Reading.
- (36) A child who is not asleep shall be visually supervised.
- (37) Except for a school-aged child whose parent has given written permission and whose whereabouts are known, a child shall not be permitted off the premises without the caregiver.
- (38) Use of corporal physical discipline shall be prohibited, pursuant to KRS 199.896(18).
- (39) A child shall be released from the family child-care home to:
  - (a) The child's custodial parent;
  - (b) The person designated in writing by the parent to receive the child; or
  - (c) In an emergency, a person designated over the telephone by the parent.
- (40) To assure a healthy environment, the provider shall maintain a:
  - (a) Current immunization certificate for each child within thirty (30) days of enrollment, unless an attending physician or parent objects to the immunization of a child pursuant to KRS 214.036;
  - (b) Written record:
    - 1. Completed and signed by the child's parent; and
    - 2. Retained on file on the first day the child attends, to include:
      - a. The child's name, address, and date of birth;
      - b. The name of each individual to whom the child may be released;
      - c. The general status of the child's health;
      - d. Allergies or restrictions on the child's participation in activities, with specific instructions from the child's parent or physician;
      - e. The name and phone number of each person to be contacted in an emergency situation;
      - f. The name and phone number of the child's physician and preferred hospital; and
      - g. Authorization by the parent for the provider to seek emergency medical care in the parent's absence.
- (41) A provider shall provide immediate notification of a medical emergency to the:
  - (a) Parent;
  - (b) Person exercising custodial control; or
  - (c) Family physician, if the parent or person exercising custodial control is unavailable.
- (42) A quiet, separate area that is easily supervised shall be provided for a child too sick to remain with other children.
- (43) The provider shall:
  - (a) Be able to recognize symptoms of childhood illnesses;
  - (b) Be able to provide basic first aid;
  - (c) Maintain a child care program that assures affirmative steps are taken to protect children from abuse or neglect pursuant to KRS 600.020(1); and
  - (d) Maintain daily attendance records documenting the arrival and departure time of each child.

Section 11. Toilet and Diapering Requirements. (1) A toilet room shall:

- (a) Have an adequate supply of toilet paper; and
- (b) Be cleaned and sanitized daily.

- (2) A sink shall be:
  - (a) Located in or immediately adjacent to toilets;
  - (b) Equipped with hot and cold running water that allows for hand washing;
  - (c) Equipped with hot water no more than 110 degrees Fahrenheit;
  - (d) Equipped with liquid soap and single use, disposable hand drying material;
  - (e) Equipped with an easily cleanable, covered waste receptacle; and
  - (f) Immediately adjacent to a changing area used for infants and toddlers.
- (3) Each toilet shall:
  - (a) Be kept in clean condition;
  - (b) Be kept in good repair;
  - (c) Be in a lighted room; and
  - (d) Have ventilation.
- (4) Toilet training shall be coordinated with the child's parent.
- (5) An adequate quantity of freshly laundered or disposable diapers and clean clothing shall be available.
- (6) If a toilet training chair is used, the chair shall be:
  - (a) Emptied promptly; and
  - (b) Sanitized after each use.
- (7) Diapers or clothing shall be:
  - (a) Changed when soiled or wet;
  - (b) Stored in a covered leak proof container temporarily; and
  - (c) Washed or disposed of at least once a day.
- (8) The proper methods of diapering and hand-washing shall be posted at each diaper changing area.
- (9) If a child is being diapered the child shall:
  - (a) Not be left unattended; and
  - (b) Be placed on a surface that is:
    - 1. Clean;
    - 2. Padded;
    - 3. Free of holes, rips, tears, or other damage;
    - 4. Nonabsorbent;
    - 5. Easily cleaned; and
    - 6. Free of items not used for diaper changing.
- (10) Unless prescribed by a physician, individual disposable washcloths shall be used to thoroughly clean the affected area of the child.
- (11) Staff shall disinfect the diapering surface after each child is diapered.
- (12) If staff wear disposable gloves, the gloves shall be changed and disposed of after each child is diapered.

**Section 12. Food Requirements. (1) The provider and assistant shall:**

- (a) Use sanitary procedures when preparing and serving food;
- (b) Refrigerate perishable food and beverages; and
- (c) Serve milk or milk products that are pasteurized.
- (2) Meals shall:
  - (a) Be served in an amount appropriate to the age of the child; and
  - (b) Include appropriate types of food according to the age of the child.
- (3) Breakfast shall include:
  - (a) Milk;
  - (b) Bread; and
  - (c) Fruit, vegetable, or 100 percent juice.
- (4) A snack shall include two (2) of the following:
  - (a) Milk;
  - (b) Protein source;
  - (c) Fruit, vegetable, or 100 percent juice; or
  - (d) Bread.
- (5) Lunch and dinner shall include:
  - (a) Milk;
  - (b) Protein source;
  - (c) Two (2) vegetables or one (1) fruit and one (1) vegetable; and
  - (d) Bread.
- (6) A weekly menu shall be:
  - (a) Prepared;
  - (b) Dated;
  - (c) Posted in a conspicuous place;
  - (d) Kept on file for thirty (30) calendar days.
- (7) Substitutions to a posted weekly menu shall be noted on the day the meal is served.
- (8) Unless provided as part of the fee for child care or the provider is a participant in the food program, an infant's formula shall be prepared, labeled, and provided by the parent.
  - (a) Prepared;
  - (b) Labeled; and
  - (c) Provided by the parent.
- (9) Each child's bottle shall be:
  - (a) Labeled;
  - (b) Covered; and
  - (c) Refrigerated.

**Section 13. Medication and First Aid. (1) Medication, including medicine that requires refrigeration, shall be stored in a locked container or area with a lock.**

(2) Prescription medication shall not be administered to a child in care, without a daily written request of the parent.

(3) Nonprescription medication:

- (a) May be given to a child only with the written daily request of the:
  - 1. Parent; or
  - 2. Person exercising custodial control of the child; and
- (b) Shall be administered according to the instructions on the label.

(4) Medications shall be:

- (a) Labeled; and
  - (b) Administered according to directions.
- (5) The provider shall:
- (a) Maintain first aid supplies that are easily accessible for use in an emergency, and these supplies shall be inaccessible to the children in care; and
  - (b) Wash superficial wounds with soap and water before bandaging.
- (6) First aid supplies shall include a fully-equipped first aid kit containing the following nonexpired items:
- (a) Liquid soap;
  - (b) Adhesive bandages;
  - (c) Sterile gauze;
  - (d) Medical tape;
  - (e) Scissors;
  - (f) Thermometer;
  - (g) Flashlight;
  - (h) Cold pack;
  - (i) First-aid book;
  - (j) Disposable gloves; and
  - (k) CPR mouthpiece.

Section 14. Animals. (1) Animals shall be:

- (a) Supervised by an adult if in the presence of children in care; and
  - (b) Certified as properly vaccinated against rabies.
- (2) A parent shall be notified in writing if a child has been bitten or scratched by an animal.
- (3) Animals that are considered undomesticated, wild, or exotic shall not be allowed in a family child-care home.

Section 15. Transportation. (1) If transportation is provided or arranged by the certified family child-care home provider, the provider shall:

- (a) Have written permission from a parent to transport his or her child;
  - (b) Have a car or van equipped with seat belts;
  - (c) Require that a child:
    - 1. Be restrained in an appropriate safety seat meeting federal motor vehicle safety standards in 49 C.F.R. 571.213;
    - 2. Remain seated while the vehicle is in motion; and
    - 3. If under thirteen (13) years of age, be transported in the back seat;
  - (d) Have a valid driver's license issued by the Division of Motor Vehicles;
  - (e) Have emergency and identification information about each child in the vehicle if children are being transported; and
  - (f) Conform to state laws pertaining to vehicles, drivers license, and insurance pursuant to KRS 186.020.
- (2) A child shall not be left unattended in a vehicle.
- (3) The back of a pickup truck shall not be used to transport a child.

Section 16. Records. (1) A certified family child-care home provider shall maintain the confidentiality of a child's records.

- (2) The cabinet shall provide, upon request, public information pursuant to KRS 199.8982(1)(d) and (e).
- (3) The provider shall:
  - (a) Report an incident of suspected child abuse or neglect pursuant to KRS 620.030(1); and
  - (b) Provide the cabinet access and information in the completion of the investigation pursuant to KRS 620.030(3).
- (4) A certified family child-care home provider shall keep a written daily record of the times a child arrives and departs.
- (5) A certified family child-care home provider shall keep all records for five (5) years.

Section 17. Certified Family Child-Care Home Program. The certified family child-care home provider shall:

- (1) Develop written information that specifies the:
  - (a) Rate for child care;
  - (b) Expected frequency of payment for the program;
  - (c) Hours of operation; and
  - (d) Policy regarding:
    - 1. Late fees;
    - 2. Holidays;
    - 3. Vacation;
    - 4. Illness; and
    - 5. Emergency pick up;
- (2) Make available a copy of the certification standards to each parent;
- (3) Provide each parent with the name, address, and telephone number of the cabinet for the purpose of registering a complaint if the parent believes the family child-care home provider is not meeting the standards;
- (4) Post and provide to each parent a copy of children and parent rights, as required by KRS 199.898;
- (5) Allow a parent and the cabinet or its designee access to the family child-care home at any time a child is in care;
- (6) Communicate with each child's parent about the child's:
  - (a) Development;
  - (b) Activities;
  - (c) Likes; and
  - (d) Dislikes;
- (7) Post in a prominent area in the home:
  - (a) The staff to child ratios described in Section 9 of this administrative regulation;
  - (b) The planned program of activities;
  - (c) Each statement of deficiency issued by the cabinet during the current certification period;
  - (d) Each plan of correction submitted by the certified family child-care home to the cabinet during the current certification period; and
  - (e) Daily schedule including any trips outside the family child-care home;
- (8) Coordinate at least one (1) annual activity involving parental or family participation; and
- (9) Maintain a written child care agreement with each child's parent, including the name of each person designated by the parent to pick up the child.

Section 18. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) "OIG-RCC-4, Application for Certified Family Child Care Home", edition 12/07;
- (b) "OIG-RCC-5, Central Registry Check", edition 12/07;



(c) "OIG-RCC-6, Self Check List", edition 12/07; and (d) "OIG-RCC-7, Request for Appeal", edition 12/07.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department for Community-Based Services, Cabinet for Health and Family Services, 275 East Main Street, Frankfort, Kentucky 40621, Monday through Friday, 8 a.m. to 4:30 p.m. (19 Ky.R. 663; Am. 954; 1090; eff. 11-9-92; 20 Ky.R. 155; 556; 806; eff. 10-13-93; 23 Ky.R. 2884; eff. 2-19-97; 25 Ky.R. 1241; 1657; 1894; eff. 1-19-99; Recodified from 905 KAR 2:100, 2-1-99; 27 Ky.R. 1642; 2181; eff. 2-1-2001; 30 Ky.R. 497; 945; 1295; eff. 11-19-03; 34 Ky.R. 1248; 2001; 2160; eff. 3-19-08.)

**199.8982 Family child-care home certification program -- When required --  
Requirements for certification -- Unannounced inspection -- Use of  
information -- Authority to promulgate administrative regulations -- Hearing -  
- Emergency action -- Training.**

(1) (a) The cabinet shall establish a family child-care home certification program which shall be administered by the department. A family child-care provider shall apply for certification of the provider's home if the provider is caring for four (4) to six (6) children unrelated to the provider. A family child-care provider caring for three (3) or fewer children may apply for certification of the provider's home at the discretion of the provider. Applicants for certification shall not have been found by the cabinet or a court to have abused or neglected a child, and shall meet the following minimum requirements:

1. Submit two (2) written character references;
2. Provide a written statement from a physician that the applicant is in good health;
3. Submit to a criminal record check in accordance with KRS 17.165. The application shall be denied if the applicant has been convicted of a violent crime or sex crime as defined in KRS 17.165;
4. Provide smoke detectors, a telephone, an adequate water supply, sufficient lighting and space, and a safe environment in the residence in which care is provided;
5. Provide a copy of the results of a tuberculosis skin test for the applicant administered within thirty (30) days of the date of application for certification; and
6. Demonstrate completion of a total of at least six (6) hours of training in the following areas within three (3) months of application for certification:
  - a. Basic health, safety, and sanitation;
  - b. Recognizing and reporting child abuse; and
  - c. Developmentally appropriate child-care practice.

(b) Initial applications for certification shall be made to the department and shall be accompanied by a ten dollar (\$10) certification fee. The department shall issue a certificate of operation upon inspecting the family child-care home and determining the provider's compliance with the provisions of this section. The inspection shall be unannounced. A certificate of operation issued pursuant to this section shall not be transferable and shall be renewed every two (2) years for a fee of ten dollars (\$10).

(c) A certified family child-care provider shall display the certificate of operation in a prominent place within the residence in which care is provided. The cabinet shall provide the certified family child-care provider with written information explaining the requirements for a family day-care provider and instructions on the method of reporting violations of the requirements which the provider shall distribute to parents.

(d) Upon request of any person, the cabinet shall provide information regarding the denial, revocation, suspension, or violation of any type of day-care license of the family child-care provider. Identifying information regarding children and their families shall remain confidential.

(e) The cabinet shall provide, upon request, public information regarding the inspections of and the plans of correction for the family child-care home within the past year. All information distributed by the cabinet under this

paragraph shall include a statement indicating that the reports as provided under this paragraph from the past five (5) years are available from the family child-care home upon the parent's, custodian's, guardian's, or other interested person's request.

(f) The cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A which establish standards for the issuance, monitoring, release of information under this section and KRS 199.896 and 199.898, renewal, denial, revocation, and suspension of a certificate of operation for a family child-care home and establish criteria for the denial of certification if criminal records indicate convictions that may impact the safety and security of children in care. A denial, suspension, or revocation of a certificate may be appealed, and upon appeal an administrative hearing shall be conducted in accordance with KRS Chapter 13B. If the cabinet has probable cause to believe that there is an immediate threat to the public health, safety, or welfare, the cabinet may take emergency action to suspend a certificate pursuant to KRS 13B.125. The cabinet shall promulgate administrative regulations to impose minimum staff-to-child ratios. The cabinet may promulgate administrative regulations relating to other requirements necessary to ensure minimum safety in family child-care homes. The cabinet shall develop and provide an "easy-to-read" guide containing the following information to a family child-care provider seeking certification of his home:

1. Certification requirements and procedures;
  2. Information about available child-care training; and
  3. Child-care food sponsoring organizations.
- (2) Family child-care providers shall annually demonstrate to the department completion of at least six (6) hours of training in child development.
- (3) The cabinet shall, either through the development of or approval of, make available a model training curriculum and training materials, including video instructional materials, to cover the areas specified in subsection (1)(a)6. of this section. The cabinet shall develop or approve the model training curriculum and training materials to cover the areas specified in subsection (1)(a)6. of this section.

**Effective:** July 14, 2000

**History:** Amended 2000 Ky. Acts ch. 14, sec. 24, effective July 14, 2000; and ch. 308, sec. 19, effective July 14, 2000; -- Amended 1998 Ky. Acts ch. 426, sec. 158, effective July 15, 1998; and ch. 524, sec. 4, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 318, sec. 91, effective July 15, 1996. -- Created 1992 Ky. Acts ch. 57, sec. 2, effective July 14, 1992.

**Legislative Research Commission Note (7/14/2000).** This section was amended by 2000 Ky. Acts chs. 14 and 308, which are in conflict. Under KRS 446.250, Acts ch. 308, which was last enacted by the General Assembly, prevails.

## PHYSICIAN'S STATEMENT

KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES  
OFFICE OF THE INSPECTOR GENERAL  
DIVISION OF REGULATED CHILD CARE  
275 EAST MAIN ST. 5E-F, FRANKFORT, KY 40621-0001

### CERTIFICATION PROGRAM FOR CHILD CARE PROVIDER

Child Care Provider's Name: \_\_\_\_\_

Address/City/State: \_\_\_\_\_

Telephone

Number: \_\_\_\_\_

The above named person has applied to become a state certified family child care home provider. This person will be solely responsible for the care of up to six (6) unrelated children in addition to related children. She/he will be working an average of eight (8) to the (10) hours per day, five (5) days per week.

In your medical opinion, is this person physically capable of assuming these job responsibilities?

YES \_\_\_\_\_ NO \_\_\_\_\_

If no, who not?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any additional  
comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Physician's Signature

\_\_\_\_\_  
Date

Physician's Name (please print) \_\_\_\_\_

Office Address: \_\_\_\_\_

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Telephone: \_\_\_\_\_